



# STATE OF ALABAMA

## SURFACE MINING COMMISSION

P.O. BOX 2390 - JASPER, ALABAMA 35502-2390  
(205) 221-4130 • FAX: (205) 221-5077

Permit Revision Number: R-7

### REVISION TO PERMIT FOR SURFACE COAL MINING OPERATIONS

Pursuant to the Alabama Surface Mining Control and Reclamation Act, Act No. 81-435, and duly promulgated rules of the Commission, revision is hereby approved for permit:

P-3919-64-24-U  
Prospect Mining and Development Company, LLC  
2002 2<sup>nd</sup> Avenue  
Jasper, AL 35501  
(Carbon Hill Mine)

License No.: L-788  
Pursuant to the  
Permit map: 1 of 1  
Certified by: Bradley K. Simmons PE # 33277  
Date: 8/9/2022

**The permit is revised as follows:**

- 1. Add 1.0 acre to Increment No. 1 for an injection well, slurry pipeline and access.**

#### **R-7 Findings 1:**

By comments dated September 29, 2022 the U.S. Fish & Wildlife Service concurred the project is not likely to adversely affect the Indiana Bat and/or the Northern Long-Eared Bat if tree removal only occurs from October 15 through March 31.

#### **R-7 Findings 2:**

Comments dated September 29, 2022 by the U.S. Fish & Wildlife Service: While no critical habitat is located in the proposed project boundary, we are concerned about projects of this nature due to the proximity of wetland areas and risks from sedimentation from construction sites that could impact locations downstream. Our records indicate the flattened musk turtle has been found in creeks around this area. This species is sensitive to sedimentation, and because of this, strict adherence to BMP's is important to protect water quality. We recommend incorporating the following measures into the project design to protect water quality:

- Implement BMP's to minimize erosion and prevent sedimentation of drainages in the project area, both during and after construction.
- Install erosion and stormwater control devices prior to construction activities to protect water quality.
- Maintain a naturally vegetated buffer (preferably 100 feet or greater) adjacent to any ditches or drainages to reduce erosion and protect water quality.
- Retain as much natural vegetation as possible by clearing and grubbing only necessary areas.
- Immediately revegetate and disturbed areas with a native species or an annual grass.
- To the extent feasible, complete any work that results in exposed earth during periods of low water and when significant rainfall is not predicted.

**R-7 Condition 1:**

The permittee may only conduct tree removal from October 15 through March 31.

**R-7 Condition 2:**

If tree removal from the potential summer roosting habitat is necessary outside October 15 through March 31 timeframe an Indiana Bat and Northern Long-Eared Bat presence/absence survey must be conducted and the U.S. Fish & Wildlife Service approval must be submitted to ASMC prior to tree removal.

**ACREAGE SUMMARY:**

**\*INCREMENT #1: increases ----- 129 acres**

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**Total Acreage Increases to 129 Acres**

**\*BONDED TO DATE**

All other terms and conditions remain in effect as well as all Findings in the original permit and any Findings appropriate for this revision.

**EFFECTIVE DATE: February 8, 2023**

  
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**Kathy H. Love, Director**

/mw

cc: I & E, Permit File